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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,275	06/15/2000	Janne parantainen	297-009504-US(PAR)	9365

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

FAN, CHIEH M

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,275

Applicant(s)

PARANTAINEN, JANNE

Examiner

Chieh M Fan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 7/31/00 (PTO Paper #4) fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. That is, the applicant did not submit Form PTO-1449. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In particular, the abstract of the present application contains the word "disclosed" (line 1), which should be changed.

3. The disclosure is objected to because of the following informalities: "ir certain user" in line 37 of page 8 is not understood.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 2 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claimed limitations recited in claims 2 (especially sub-steps a1, a2, b1, b2) and 3 have no support in the specification. If the applicant disagrees, please indicate which portion of the specification supports such limitations.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1, and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kronestedt et al. (U.S. Patent No. 6,308,082, "Kronestedt" hereinafter).

Regarding claim 1, Kronestedt discloses a method for choosing a channel coding and/or interleaving scheme to be applied in a communication connection (18 in Fig. 1) over a radio interface between a terminal (16 in Fig. 1) and a base station (19 in Fig. 1) of a cellular packet radio system where a certain decision-making device (Fig. 2, col. 3, lines 41-46) allocates channel coding and/or interleaving schemes to communication connections, comprising the steps of

communicating a request message to the decision-making device (col. 3, lines 53-56), said request message indicating a certain set of Quality of Service parameters associated with certain first communication connection (col. 3, lines 56-61),

mapping said set of Quality of Service parameters to a certain first channel coding and/or interleaving scheme as a part of the channel coding and/or interleaving scheme allocation made by the decision-making device (46 in Fig. 4, also see col. 4, lines 30-34, col. 2, lines 60-62, col. 5, lines 24- 30) and

communicating said first channel coding and/or interleaving scheme to the base station and the terminal for them to apply said first channel coding and/or interleaving scheme in said first communication connection (44 in Fig. 4, col. 4, lines 35-36, col. 5, lines 16-20).

Regarding claims 4 and 5, the method of Kronestedt is applied during operation of the communication network (see col. 6, line 18). Therefore, it is implicit/inherent that the method is applied to establish a new connection and reset an existing connection.

Regarding claim 6, Kronestedt teaches an arrangement for choosing a channel coding and/or interleaving scheme to be applied in a communication connection over a radio interface, comprising:

a terminal (16 in Fig. 1), a base station (19 in Fig. 1) and a radio interface (18 in Fig. 1) between them,

a certain decision-making device (Fig. 2, col. 3, lines 41-46) for allocating channel coding and/or interleaving schemes to communication connections,

within the terminal and the base station, means for communicating a request message to the decision-making device, and means for indicating within said request message a certain set of Quality of Service parameters associated with a certain first communication connection (col. 3, lines 53-56, col. 3, lines 56-61),

within the decision making device, means for mapping said set of Quality of Service parameters to a certain first channel coding and/or interleaving scheme as a part of the channel coding and/or interleaving scheme allocation (46 in Fig. 4, also see col. 4, lines 30-34, col. 2, lines 60-62, col. 5, lines 24- 30) and

means for communicating said first channel coding and/or interleaving scheme to the base station and the terminal for them to apply said first channel coding and/or interleaving scheme in said first communication connection (44 in Fig. 4, col. 4, lines 35-36, col. 5, lines 16-20).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Doetsch et al. (U.S. Patent No. 6,571,366), Kalliokulju et al. (U.S. Patent No. 6,553,006), Belaiche (U.S. Patent No. 6,501,748), Schramm et al. (U.S. Patent No. 6,208,663), Olofsson et al. (U.S. Patent No. 6,167,031).

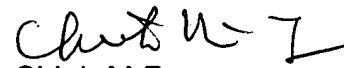
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chieh M Fan whose telephone number is (703) 305-

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0198. The examiner can normally be reached on Monday-Friday 8:00AM-5:30PM,
Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (703) 305-4714. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


Chieh M Fan
Examiner
Art Unit 2634

cmf
August 23, 2003